IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2673 OF 2004

Arun Arjun Gawade ..Petitioner.
Vs.
Municipal Corporation of Greater Mumbai & anr. .. Respondents.

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Mr. I.A. Saiyed with Mr. R.L. Chalke for the petitioner.
Ms. Priti Purandare for the respondents.

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CORAM : DALVEER BHANDARI, C.J.&
DR.D.Y.CHANDRACHUD, J.

11th October, 2004.

P.C. :

1. In this case the petitioner has been convicted under Section 7 of the Prevention of Corruption Act, 1988 and was sentenced to undergo R.I. for two years and to pay Rs.3,000/-, in default to suffer R.I. for three months. He was further convicted for an offence under Section 13(2) read with 13(1)(d) of the Prevention of Corruption Act 1988 and sentenced to undergo R.I. for two years and to pay fine of Rs.3,000/- in default to suffer R.I. for three months; substantive sentences of imprisonment shall run concurrently.

2. The short grievance of the petitioner in this case is that he has not been paid subsistence allowance. We direct that the subsistence allowance admissible in accordance with law shall be paid to the petitioner as early as possible. It may be pertinent to mention that against the conviction of the petitioner by the learned Sessions Court, appeal is already pending in this Court. In this view of the matter, no further directions are necessary. This petition is accordingly disposed of.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.